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Sent: Friday, June 5, 2020 2:55 PM
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Cc: Butler, David; Wessinger-Hill, JoAnne; Stark, David; Dukes, Jerisha; Boyd, Jocelyn
Subject: Docket No. 2020-125-E (see also, Docket No. 2020-106-A; Docket No. 2017-370-E; Docket No. 2017-305-E; and Docket No. 2017-207-E) -- Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges

June 5, 2020

Docket No. 2020-125-E - *Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges (See Commission Order No.2020-313)*

Docket No. 2020-106-A - *Actions in Response to COVID-19*

Docket No. 2017-370-E - Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy Incorporated for Review and Approval of a Proposed Business Combination between SCANA Corporate and Dominion Energy, Incorporated, as May Be Required, and for a Prudency Determination Regarding the Abandonment of the V.C. Summer Units 2 & 3 Project and Associated Customer Benefits and Cost Recovery Plans

Docket No. 2017-305-E - Request of the Office of Regulatory Staff for Rate Relief to Dominion Energy South Carolina, Incorporated's (f/k/a South Carolina Electric & Gas Company) Rates Pursuant to S.C. Code Ann. § 58-27-920

Docket No. 2017-207-E - Friends of the Earth and Sierra Club v. Dominion Energy South Carolina, Inc.

Dear Parties and Interested Persons:

With regard to various issues raised by the April 1, 2020, letter of counsel for Dominion Energy South Carolina, Inc. ("Dominion" or "the Company") and related response by the Office of Regulatory Staff on April 7, 2020, and the reply by the Company on April 14, 2020, the Commission issued Order No. 2020-313 resolving certain specific issues: First, the Commission ordered a delay in the filing date for electric rate relief, and in the implementation date for new rates (if any). Both matters were for good cause and based upon issues raised and presented by the Company concerning COVID-19 and the South Carolina State of Emergency proclaimed by Governor McMaster. Thus, Dominion is not required to file for electric rate relief on May 1, 2020, and nor is Dominion required to place new rates, if any, in effect on January 1, 2021, as previously ordered by Commission Order No. 2018-804 and other Commission Orders. The original Order language requiring these actions by the listed dates was vacated, as is language in any other Commission orders concerning the filing date for this electric rate case and the effective date of any new rates. See, Commission Order No. 2020-313, p. 3. In Order No. 2020-313, the Commission also opened a separate docket, Docket No. 2020-125-E, to address the new Dominion rate case. Id. It is also noted that the Company represented to the Commission and all other parties of record in its letter dated April 1, 2020 that Dominion "will not be required to file its Application before August 15, 2020" if the Commission granted the Company's request to extend the January 2021 deadline for new rates to take effect by sixty (60) days until March 8, 2021. See, Dominion letter dated April 1, 2020, pp. 2 & 3.

The purpose of this email to obtain input from the parties and presumptive interested parties or intervenors (who are currently parties/intervenors in the above referenced dockets) on the procedural schedule for pre-filed testimony, discovery, motions, discovery hearings, and related matters. Based upon representations by Dominion that it would not be required to file its Application for Rate Adjustment before August 15, 2020, and due to the holidays in November

and December 2021, the Commission plans to begin the merits hearing in Docket No. 2020-125-E on Tuesday, January 5, 2021 and continuing each day thereafter until the hearing is completed and adjourned. Due to the necessity for thorough review of the pre-filed testimony and exhibits prior to the hearing, any and all pre-filed testimony by all parties (including intervenors) must be completed and filed with the Commission no later than three (3) weeks prior to the scheduled merits hearing date. This deadline would be December 15, 2020 when using a hearing date of January 5, 2021. This means that any discovery issues or motions, as well as any outstanding discovery responses, between the parties must be completed and resolved allowing enough time for parties to allow for preparation, completion, and timely filing of any and all filing of pre-filed testimony prior to this absolute testimony deadline. As stated, the Commission and Staff need time to review these filings and to prepare for the hearing, which is already limited.

It is requested that any party, interested persons, or presumptive potential party, who may be a party to above referenced dockets, please comment with a suggested procedural schedule to allow equitable time for all parties:

- (1) to conduct and complete discovery, keeping in mind that discovery can and should begin as soon as possible or immediately upon the filing date of the Application;
- (2) to timely resolve any discovery matters, motions and responses, include a discovery motion deadline for resolution of discovery issues;
- (3) to file and complete all pre-filed testimony no later than December 15, 2020. This means that any and all Surrebuttal testimony must be filed with the Commission prior to, or no later than, December 15, 2020; and
- (4) to provide for an equitable schedule allowing the parties, interested persons, and intervenors a reasonable and equitable time periods to prepare and file pre-filed Direct testimony, pre-filed Rebuttal testimony and pre-filed Surrebuttal testimony following the receipt/completion of discovery.

Any proposed suggested procedural schedule or comments offered should be within the tentative dates of when the Company's Application is filed and the proposed conclusion date of December 15, 2020 for pre-filed testimony. The dates for a proposed merits hearing beginning on January 5, 2021, or the December 15th testimony deadline, are subject to change depending on, but not limited to, change in the projected Application filing date or the Commission schedule and are not finalized dates until Order of the Commission.

It is noted that companies in prior cases have provided pre-filed Direct Testimony with the filing of their Application, as well as within a few weeks of filing their Application for rate

adjustment. If you have any other thoughts related to the start date for pre-filed testimony, please provide them as well.

If you have any comments related to the Company's request to extend by sixty days the update in the historical test period (which is the 12 months ended December 31, 2019 -- January 1, 2019 thru December 31, 2019) for known and measurable changes as of November 30, 2020, and not as of September 30, 2020 per Order No. 2018-804, please provide them. It is not readily apparent how testimony regarding post-test year adjustments through November 30, 2020 can be timely filed, considering the need for early conclusion of the pre-filing process.

Thank you for your consideration of these matters herein knowing that while the COVID-19 pandemic created unprecedented issues and concerns for all citizens (individuals, businesses, and governmental entities), South Carolina law mandates a six-month time period for the Commission to rule and issue its order approving or disapproving changes in rate or tariffs starting on the date the Application is filed, unless the first sentence of S.C. Code Ann. Section 58-27-870 (C) is invoked. Please further note that the Commission will need at least a three-week window between the filing of proposed orders, and the issuance of the merits order in the case.

Please provide any comments that you may have on these matters to me by noon (12:00 p.m.) on June 18, 2020.

With kind regards, I am

Jo Anne Wessinger Hill

Cc: All parties of record in Docket No. 2020-125-E (Kenneth.burgess@dominionenergy.com; aknowles@ors.sc.gov; clybarker@scconsumer.gov)

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